



HELEN F. DALTON & ASSOCIATES, P.C.
ATTORNEYS AT LAW

80-02 Kew Gardens Road, Suite 601, Kew Gardens, New York 11415
Tel. (718) 263-9591 Fax. (718) 263-9598

December 16, 2022

Via ECF:

The Honorable Jesse M. Furman, U.S.D.J.
United States District Court
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: **Flores et al v. Boro Concrete Corp. et al**
Civil Docket No.: 21-cv-05006 (JMF)

Dear Judge Furman:

We represent Plaintiffs in this FLSA action, and we respectfully submit this letter motion to respectfully request an extension of time for Plaintiffs to submit their documentary evidence, based upon personal knowledge, to support the underlying assumptions in their calculations (each plaintiff's dates of work, wage rate, etc.), in compliance with Your Honor's December 9, 2022 Order. *See* Dkt. No. 85.

On December 9, 2022, the Court granted Plaintiffs' motion for entry of default judgment as to liability, and directed Plaintiffs to submit the above-referenced documentary evidence by December 16, 2022.

The reason the instant request is being made, is that we are still in the process of procuring and drafting all of our nine clients' affidavits, and necessary supporting evidentiary materials, and require additional time to complete this process. Specifically, we have encountered some issues with regards to the following Plaintiffs: 1) CESAR REYES-ARGUETA, who currently resides in North Carolina; 2) JOSE SERRANO GUZMAN who currently resides in Washington DC; and 3) MELVIN VIGIL MEJIA who was recently involved in a motor vehicle accident and is currently incapacitated and unable to come to our office.

Notwithstanding, Plaintiffs reasonably anticipate two (2) weeks' time to be sufficient to complete the process in compliance with Your Honor's directives. As such, if this request is granted, Plaintiffs can submit all of the above by December 30, 2022.

This is Plaintiffs' second such request for an extension of time on this matter (*see* Dkt. No. 83), and this second request will not affect any other dates or deadlines on this matter.

Based on the foregoing, Plaintiffs respectfully request until Friday, December 30, 2022, for the Plaintiffs to submit their materials pursuant to the Court's Order.

We thank the Court for its kind consideration on this matter, we remain available to provide any additional information necessary.

Respectfully submitted,

Roman Avshalumov

Roman Avshalumov, Esq.

Helen F. Dalton & Associates, P.C.

Attorneys for Plaintiffs

CC (via ECF):

Timothy Kilgannon, Esq.

Rossi, Crowley, Sancimino & Kilgannon, LLP

42-24 235th Street

Douglaston, NY 11363

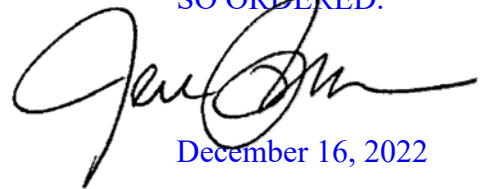
718-428-9180

Email: tkilgannon@rcsklaw.com

Application GRANTED. Further extensions are unlikely to be granted.

The Clerk of Court is directed to terminate ECF No. 86.

SO ORDERED.

A handwritten signature in black ink, appearing to be "J. J. [unclear]", is written over the text "SO ORDERED." and the date.

December 16, 2022